



REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1, 3-5 and 30-34 are pending in the application. No claim amendments are presented, thus no new matter is added.

In the outstanding Official Action, Claims 1 and 4 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite; Claims 1 and 3 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sachs et al. (U.S. Patent No. 6,331,865, hereinafter, “Sachs”) in view of Marko et al. (U.S. Patent No. 6,686,880, hereinafter “Marko”); Claims 4-5 and 30 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sachs in view of Marko and in further view of Stefick et al. (U.S. Patent No. 5,634,012, hereinafter “Stefick”); and Claims 31-34 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sachs in view of Marko and Stefick and in further view of Umbreit et al. (U.S. Patent No. 6,704,787, hereinafter “Umbreit”).

Claims 1 and 4 were rejected under 35 U.S.C. § 112, second paragraph, because, as asserted in the outstanding Official Action, there is insufficient antecedent basis for the phrase “stored user preferences.” However, the recitation of “stored user preferences,” is not preceded by the term “the” or “said”, and does not rely on any of the features previously recited in Claims 1 and 4 for antecedent basis.

Accordingly, Applicants respectfully request that the rejection of Claims 1 and 4 under 35 U.S.C. § 112, second paragraph, be withdrawn.

The outstanding Official Action rejected Claims 1 and 3 under 35 U.S.C. § 103 as anticipated by Sachs in view of Marko. The Official Action cites Sachs as disclosing the Applicants’ invention with the exception acquiring and storing broadcast information. The Official Action cites Marko as disclosing this claimed feature, and states it would have been

obvious to combine these references. Applicant respectfully submits that independent Claim 1 states novel features clearly not taught or rendered obvious by the applied references. Specifically, Applicants respectfully submit that Sachs fails to teach or suggest the “privacy-guarding” feature recited in independent Claim 1.

Briefly summarizing, independent Claim 1 is directed to an information processing apparatus connected by a network to a first information processing apparatus for presenting content via broadcast. When a user responds to a received broadcast transmission, a privacy-guarding means determines, based on the received broadcast, user profile information that is authorized by the user to be sent to the broadcasting service. In this manner, the user is able to maintain control and a predetermined level of privacy regarding the personal information (e.g., age, gender, address, etc.) that is sent from their user profile in response to a received broadcast signal. A more thorough summary of Claim 1 was presented in the previous response and is not reiterated herein.

Specifically, amended independent Claim 1 recites, *inter alia*, an information processing apparatus, comprising:

... a privacy-guarding means for storing user profile corresponding to their receiver and ***determining at least one of a plurality of user specific profile parameters included in the user profile that are permitted to be sent to the first information processing apparatus based on the received information processing apparatus identification information, the content identification information received by the receiver and stored user preferences.***

Turning to the applied primary reference, Sachs describes a method for electronically viewing and distributing digital contents. Sachs describes a virtual bookstore (40) that maintains a list of content keys associated with content stored in a repository (50), and when a user (10) purchases a digital book, a secure envelop is formed by encrypting the content key

with a session key.¹ The user may then access the digital content by way of an “electronic portable book” which has been activated for a user using the secure envelop and a URL corresponding to the digital content.

In addressing the feature of “storing user profile corresponding to the receiving device”, the outstanding Official Action cites col. 3, lines 3-30, and col. 3, line 63-col. 4, line 8 of Sachs, specifically relying on the registration features of the “portable book.” In Sachs, each portable electronic book is associated with information stored in a registration server (24) and an authentication server (32), such information is used for activation of electronic book. The registration server (24) also keeps track of the portable electronic books that are considered active accounts in the system and for ensuring that each portable electronic book is associated with the primary virtual bookstore in the system. Thus, the outstanding Official Action asserts that privacy-guarding feature of “storing use profile” information, recited in Claim 1, corresponds to the registration information that is stored in the registration server (24), as discussed in Sachs.

Independent Claim 1, however, further recites ***determining at least one of a plurality of user specific parameters included in the user profile that are permitted to be sent to the first information processing apparatus.*** In addressing the above-noted feature, the outstanding Official Action relies on col. 8, lines 36-44 and col. 9, lines 31-54 of Sachs. The cited portion of Sachs, however, describes that electronic book customers have the freedom to purchase any content from any virtual bookstore, unless there exists a virtual bookstore which desires to sell only a subset of their content to “outside” electronic book customers. Thus, the manager of a virtual bookstore may limit the distribution of contents to only selected electronic book subscribers, but this limitation on distribution has no effect the distribution of registration information related to the portable electronic book stored in the

¹ Sachs, column 4, lines 47-57.

registration server (24). Accordingly, the cited portion of Sachs fails to teach or suggest ***determining at least one of a plurality of user specific parameters included in the user profile*** (e.g., the portable book registration information stored in the registration server) ***that are permitted to be sent to the first information processing apparatus.***

As discussed above, independent Claim 1 recites that the privacy-guarding means stores the user profile corresponding to the receiving device, then determines at least one of a plurality of user specified parameters included in ***the user profile*** that are permitted to be sent to the first information processing apparatus. In contrast, the cited portion of Sachs describes storing registration information related to the portable electronic book, and selectively distributing contents from a virtual bookstore to only specific electronic book customers. Thus, Sachs fails to teach or suggest determining at least one of a plurality of parameters stored in the registration server (24) which may be sent to the first information processing apparatus, as recited in independent Claim 1.

Further, independent Claim 1 recites determining ***at least one of a plurality of user specified parameters*** that are permitted to be sent to the first information processing apparatus based on ***received information processing apparatus identification information, the content identification information received by the receiver and stored user preferences.*** Sachs fails to teach or suggest that a user is able to specify parameters that are permitted to be sent to the first information processing apparatus, whatsoever. Further, Sachs fails to teach or suggest performing this determination based on received information processing apparatus identification information, content identification information or stored user preferences, as recited in independent Claim 1. Moreover, Sachs fails to teach or suggest distributing registration information stored in the registration server (24) on a limited basis, whatsoever, much less based on stored user preferences.

Accordingly, Sachs fails to teach or suggest a privacy-guarding means for storing user profile corresponding to the receiver and determining at least one of a plurality of user specific profile parameters included in the user profile that are permitted to be sent to the first information processing apparatus based on the received information processing apparatus identification information, the content identification information received by the receiver and stored user preferences, as recited in independent Claim 1.

Marko, the secondary reference, describes receiving a broadcast information request message and initiating a transmission of a response based on the received broadcast message.² Marko, however, also fails to teach or suggest the above-noted features relating to the “privacy-guarding” feature as recited in independent Claim 1.

Accordingly, Applicant respectfully requests that the rejection of Claim 1 under 35 U.S.C. § 103 be withdrawn. As Claim 3 depends from Claim 1, Applicant submits that this claim also patentably defines over the applied references.

As noted above, neither Sachs nor Marko teach or suggest the features recited in independent Claim 1. Likewise, neither Stefick nor Umbreit, alone or in combination, teach or suggest Applicant’s Claims 4, 5 and 30-34, which include the above distinguished limitation by virtue of independent recitation or dependency. Therefore, the outstanding Official Action has not provided a *prima facie* case of obviousness with regarding to any of these claims.

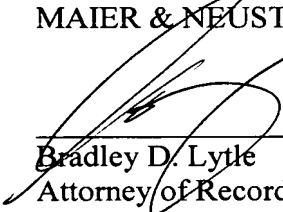
Accordingly, Applicant respectfully request the rejection of Claims 4, 5 and 30-34 under 35 U.S.C. § 103 be withdrawn.

² Marko, Abstract.

Consequently, in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1, 3-5 and 30-34 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefor requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Andrew T. Harry
Registration No. 56,959